Entered on Docket
March 13, 2017
EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

Signed: March 11, 2017

ALAN JAROSLOVSKY U.S. Bankruptcy Judge

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U.S. BANK TRUST, N.A. AS TRUSTEE
FOR LSF8 MASTER PARTICIPATION TRUST

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA – SANTA ROSA DIVISION

In re: PETER BROOKS Debtor.	CASE NO.: 16-10696-AJ-13 CHAPTER: 13 R.S. NO.: EAT-1742 ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY AND CO-DEBTOR STAY (PROPERTY: 9619 MONTEZ COURT, WINDSOR, CA 95492) DATE: March 3, 2017 TIME: 1:30 pm PLACE: U.S. Bankruptcy Court 99 South E Street Santa Rosa, CA

The motion of U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF8 MASTER PARTICIPATION TRUST (“Movant”), for relief from the automatic stay came on regularly for hearing by the Court on the date, time and place set forth above, the HONORABLE ALAN JAROSLOVSKY United States Bankruptcy Judge presiding. All appearances were notated on the record. For the reasons set forth on the record and in the minutes of the proceedings, it is ORDERED

That the automatic stay imposed by *11 U.S.C. § 362(a)* shall be and is hereby terminated pursuant to *11 U.S.C. § 362(d)(1)* as to Movant, its successors and assigns, thereby permitting enforcement of its rights and remedies under applicable non-bankruptcy law against the security described in that certain Deed of Trust recorded on April 04, 2005 as Instrument No. 2005044213 in the Office of the County Recorder of Sonoma County, California, including that certain real property commonly known as **9619 MONTEZ COURT,WINDSOR, CA 95492** and legally described as follows:

PARCEL ONE:

LOT 26, AS SHOWN AND DESIGNATED UPON THE MAP ENTITLED "FOOTHILL OAKS UNIT NO. 4, A PLANNED UNIT DEVELOPMENT, TRACT NO. 854, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SONOMA COUNTY ON MAY 24, 1990 IN BOOK 457 OF MAPS AT PAGES 33 THROUGH 39.

PARCEL TWO:

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID LANDS OF FLEISHER AND DEKOZAN, WHICH SAID NORTHWESTERLY CORNER IS ALSO THE NORTHWESTERLY CORNER OF LOT 25, AS SHOWN AND DESIGNATED UPON THAT MAP ENTITLED FOOTHILLS OAKS UNIT NO. 4, A PLANNED UNIT DEVELOPMENT, TRACT NO. 854, SAID MAP BEING FILED IN BOOK 457 OF MAPS AT PAGES 33 THROUGH 39, SONOMA COUNTY RECORDS.

THENCE FROM SAID POINT OF BEGINNING, AND ALONG THE NORTHERLY BOUNDARY OF SAID LANDS OF FLEISHER AND DEKOZAN, SOUTH 85 DEG 02' 33" E, 26.07 FEET; THENCE LEAVING SAID NORTHERLY BOUNDARY AND PROCEEDING SOUTH 08 DEG 42' 15" E, 89.84 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID LANDS OF FLEISHER AND DEKOZAN; THENCE ALONG SAID WESTERLY BOUNDARY, NORTH 23 DEG 29' 08" W, 99.29 FEET BACK TO THE AFOREMENTIONED POINT OF BEGINNING.

APN: 0162-170-037

That the order terminates the co-debtor stay under 11 U.S.C. §1301(c) as to the co-debtor, on the same terms and conditions as to the Debtor.

That the trustee shall not make any further payments on account of Movant's secured claim after entry of this Order. The secured portion of Movant's claim is deemed withdrawn upon entry of this

Order without prejudice to Movant's right to file an amended unsecured claim within thirty days for any deficiency.

That the Order Granting Motion for Relief from the Automatic Stay be binding and effective notwithstanding any conversion of this case to a case under any Chapter of *Title 11* of the *United States Bankruptcy Code* without further notice, hearing, or court order.

That the terms of this Order shall be deemed effective and enforceable immediately upon its entry with no stay on its enforcement as prescribed by *Rule 4001(a)(3)* of the *Federal Rules of Bankruptcy Procedure*.

END OF ORDER

COURT SERVICE LIST

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